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 6 Attorney for Plaintiff
 Bin Li
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UNITED STATES DISTRICT COURT
 10 **NORTHERN DISTRICT OF CALIFORNIA**
 11 **SAN JOSE DIVISION**

12 **Bin Li**) Case No. C 07-05564 HRL
 13 Plaintiff,)
 14 v.)
 15)
 16 **Michael Chertoff**, Secretary of the)
 Department of Homeland Security;)
 17 **Emilio T. Gonzalez**, Director of United States)
 Citizenship and Immigration Services;)
 18 **Robert S. Mueller III**, Director of the Federal)
 Bureau of Investigation)
 19 Defendants)
 20)
 21)
 22 _____)

)
JOINT MOTION FOR CHANGE OF
VENUE; AND [PROPOSED] ORDER

23 Plaintiff by and through his attorney of record, and Defendants by and through their
 24 attorneys of record, hereby move this Court for a change of venue, should the Court deem it
 25 necessary, due to the following facts:

- 26 1. Plaintiff filed this case pro se at the San Jose division of the Northern District of
 California on November 1, 2007.
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 28 2. Plaintiff is a resident of Alameda County, CA, and should have filed this case in either

1 the San Francisco or Oakland division of the Northern District.

2 The parties move for a change of venue only if the Court deems that one is necessary;
3 otherwise, both parties have no objection to continuing this action before the Honorable Judge
4 Lloyd in the San Jose division.

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7 Dated: January 24, 2008

Respectfully Submitted,

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9 _____/s/
10 Justin Fok, CA Bar: 242272
11 Attorney for Plaintiffs

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13 Dated: January 24, 2008

14 _____/s/
15 Ila C. Deiss
16 Assistant United States Attorney
17 Attorneys for Defendants

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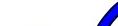
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ORDER

Insofar as the parties indicate that they waive any defect in venue,

AThis Court deems that a change of venue is not necessary for this action. This case shall remain before this Court, IT IS SO ORDERED.

Date: February 11, 2008


Howard R. Lloyd
United States Magistrate Judge

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